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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/653,961      | 09/01/2000  | Guang-Jer Wu         | 95-97               | 5662             |

23713 7590 03/10/2004

GREENLEE WINNER AND SULLIVAN P C  
5370 MANHATTAN CIRCLE  
SUITE 201  
BOULDER, CO 80303

EXAMINER

RAWLINGS, STEPHEN L

| ART UNIT | PAPER NUMBER |
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1642

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

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| EXAMINER |
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| ART UNIT | PAPER |
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20040305

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

### Notice of Non-Compliant Amendment

The amendment filed on October 7, 2003 is considered non-compliant because it failed to meet the requirements of 37 CFR § 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment must be re-submitted.** 37 CFR § 1.121(h).

The amendment is non-compliant because "Amendments to the claims" section of the amendment amends claim 21 without showing each and every change made relative to the immediate prior version; in particular, claim 21, as presently amended, strikes "the" and inserts "a" in line 6 without showing these changes.

For further explanation of the amendment format required by 37 CFR § 1.121, see MPEP § 714 and the USPTO website at

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

As the non-compliant amendment is reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bona fide attempt to be a reply (37 CFR § 1.135(c)), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this notice within which to re-submit the corrected section which complies with 37 CFR § 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

In addition, it is noted the Examiner attempted to telephone Ms. Yoo-Warren on March 4, 2003 and again on March 5, 2003, to propose an examiner's amendment, but the Examiner was unable to leave a message explaining the proposed amendment. The Examiner was told Ms. Yoo-Warren has no voice mail. Apparently Ms. Yoo-Warren

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was unavailable to return the Examiner's telephone call. Accordingly, the Examiner requests the courtesy of a telephone call at Ms. Yoo-Warren's earliest convenience to discuss whether an examiner's amendment might be authorized to place this application in condition for allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings, Ph.D. whose telephone number is (703) 305-3008. The examiner can normally be reached on Monday-Thursday, alternate Fridays, 8:00AM-5:30PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony C. Caputa, Ph.D. can be reached on (703) 308-3995. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 308-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Stephen L. Rawlings, Ph.D.  
Examiner  
Art Unit 1642

slr

March 5, 2004

  
YVONNE EYLER, PH.D.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600